



STATEMENT OF CLAIM

1. The Defendants made a promissory note for CI\$5,000.00 dated 26 September 1996 payable to the Plaintiff by instalments of CI\$2,000.00 on or before the 30 September 1996 and CI\$1,000.00 on or before the 15 October 1996 and the balance of CI\$2,000.00 on the 30 October 1996 subject to the condition that if default should be made in the payment of any of the said instalments, interest at the rate of 12% per annum and compounded monthly will be added to the whole of the said sum of CI\$5,000.00 remaining unpaid at the time of default until payment in full.
2. The Defendants paid CI\$520.00 on the 5 October 1996, but have failed to make any further payments.
3. The said promissory note further provided that if the Plaintiff used an Attorney to collect the promissory note for non-payment a sum equal to 20% of the principal and interest due shall be added to sum then due.

PARTICULARS

Principal sum	CI\$4,480.00
Interest at 12% per annum compounded monthly from 1 October 1996 to 31 March 1997	CI\$275.58
Attorneys Fees of 20% of CI\$4,755.58	CI\$951.11

AND THE PLAINTIFF CLAIMS :-

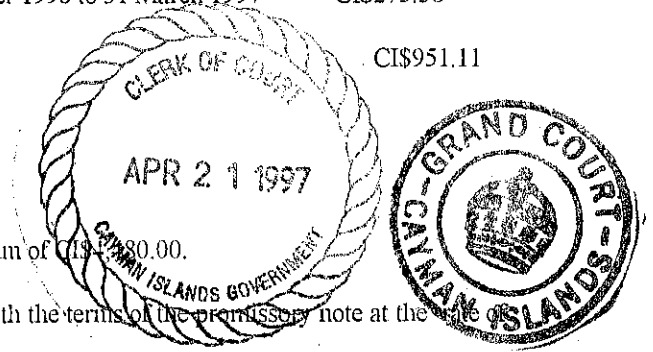
1. AN ORDER for the payment by the Defendants of the sum of CI\$5,886.69.
2. INTEREST accrued to 31 March 1997 in accordance with the terms of the promissory note at the rate of 12% per annum, equal to CI\$275.58.
3. FURTHER and/or other relief.
4. COSTS pursuant to the terms of the promissory note of CI\$951.11 and prescribed filing and bailiff service fees of CI\$180.00

Total amount claimed as at 31 March 1997:

CI\$5,886.69

STATEMENT REGARDING INTEREST:

1. The rate of interest claimed is 12% per annum, compounded monthly.
2. The date from which interest is calculated is 1 October 1996.
3. The total amount of interest claimed as at 31 March 1997 is CI\$275.58.



4. The amount of interest accruing each day thereafter is CI\$1.58.

If, within the time for returning the Acknowledgment of Service, the Defendant pay the total amount claimed of CI\$5,886.69 (including interest and costs) further proceedings will be stayed. The money must be paid to the Plaintiff's Attorney-at Law.

Dated this 17th day of April 1997.

Orren Merren & Company
Orren Merren & Company



THIS WRIT was issued by Orren Merren & Company whose address for service is Kirk House, Third Floor, Albert Panton Street, P.O. Box 481, George Town, Grand Cayman, Cayman Islands, B.W.I.

Acknowledgment of service of writ of summons (O.12, r.3)

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS

1. The accompanying form of *Acknowledgment of Service* should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person.

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings *must also serve a defence* on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

3. A *Stay of Execution* against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, *issue a Summons* for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See over for notes for guidance

Please complete overleaf

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (*the name stated on the Writ of Summons*)".
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "Partner in the firm of (.....)" after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorised to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian *ad litem*.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

Notes on address for service

Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

Indorsement by plaintiff's Attorney (or by plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Orren Merren and Company
Kirk House, 3rd Floor
Albert Panton Street
P.O. Box 481
Grand Cayman
Cayman Islands, B. W. I.

Ref: AJT;Wes

Indorsement by defendant's Attorney (or by defendant if suing in person) of his name, address and reference, if any, in the box below.